S.B. CIVIL WRIT PETTION NO.7272/2006
M/s. Abdul Rauf Malkani
vs
Bharat Sanchar Nigam Ltd. & Ors.

DATE OF ORDER : 20.12.2006

HON'BLE JUSTICE SHRI MOHAMMAD RAFIQ

Shri K.S. Yadav,for the petitioner.

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Heard learned counsel for the petitioner.

Learned counsel for the petitioner submits that the tender of the petitioner has wrongly been rejected and he has been wrongly debarred from consideration in the final bid although he has produced the experience certificate from Rajasthan Urban Infrastructure Development Project for giving them five vehicles on contract basis.

According to the condition in question mentioned in the notice inviting tender the respondents required that the bidder

should not have not less 5(Five) vehicles experience in supplying commercial vehicles/cars for the last one year to any Central/State Govt. organization or a large public sector undertaking or four year experience for similar type of contract of supplying not less than ten commercial vehicle to Private Limited Company.

In this case, although the certificate which has been produced by the petitioner indicate that he has given five vehicles to RUIDP on contract basis, but it has not been certified that those five vehicles were given on contract basis for a period of one year. I therefore do not find any error in the action of the respondents in excluding the petitioner's bid for consideration in the financial bid.

The writ petition having no merit is hereby dismissed with no order as to costs.

(MOHAMMAD RAFIQ), J.

cpgoyal/-